

**REMARKS**

Applicant submits the present application, as currently amended, is in condition for allowance.

Claims 17-34 are pending, with claims 17-34 added, and claims 1-16 cancelled without prejudice or disclaimer.

In the Official Action, the specification was objected to; and claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art (hereinafter AAPA) in view of Hamilton et al. (U.S. Patent Publication 2002/0087973, hereinafter Hamilton).

Applicant acknowledges with appreciation the telephone discussion between the Examiner and Applicant's representative on February 21, 2008. During this discussion the Examiner indicated that all drawings submitted with Applicant's specification were acceptable.

The specification is amended as requested in the Official Action. No new matter is added. Thus, Applicant submits that the current objection is overcome.

Claims 17-34 replace claims 1-16 to more clearly describe and distinctly claim Applicant's invention. Support for this amendment is found in Applicant's originally filed specification.<sup>1</sup> Thus, Applicant submits that no new matter is added.

Briefly recapitulating, new claim 17 is directed to

A method of operating a data broadcasting system that executes a data broadcast under a client-server environment, the method comprising the steps of:

downloading at a client device a data service table (DST) relating to a specific application;

extracting information relating to the specific application from the DST on the client device;

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<sup>1</sup> Specification, Figures 2-5.

downloading at the client device individual data sections of the specific application based upon the extracted information;

extracting data from the downloaded individual data sections on the client device;

performing the following sequence of steps on the client device while the individual data sections are being downloaded and extracted;

extracting advertising-image related data from the DST, the advertising-image related data including an advertisement image path;

downloading an advertisement image from the advertisement image path; and

displaying the downloaded advertisement image;

cancelling the step of displaying the advertisement image after all data sections of the specific application are downloaded and extracted by the client device; and

executing the specific application on the client device.

New independent claims 23 and 29 are directed to a corresponding system and client.

AAPA describes applications that transmit consecutive data sections in a transport stream form. The consecutive data sections are repeated periodically and sequentially. In AAPA, the transmitter transmits a data service table (DST) including information about the application before transmitting the consecutive data sections. Accordingly, the receiver confirms the corresponding application through the DST and can execute the corresponding application by using consecutive data sections received due to the confirmation.

As noted in the discussion of AAPA in Applicant's specification, AAPA generally requires a great deal of time delay (e.g. a few or tens seconds) to download all the data sections for a specific application, extract file objects and execute application. Accordingly, a viewer who turns on the power to watch the digital broadcast may become bored or annoyed due to the

time delays associated with displaying the corresponding data broadcast, or due to delays whenever a channel is changed.

As acknowledged in the Official Action, AAPA does not disclose or suggest inserting advertisement-related data into the DST. To cure this deficiency, the Official Action applies Hamilton.

Hamilton describes an apparatus and a method for inserting and displaying one or more signals during processing and display delays encountered in digital STB receivers, including those delays encountered during channel changes. In Hamilton, when a channel change request occurs on a digital set-top receiver, a local watchdog module detects the channel change event and causes to be generated *a signal that is immediately displayed on the TV*, while the MPEG-2 subsystem of the receiver acquires, stores, decodes and presents the new program to the television. In one embodiment, the displayed signal is overwritten (or terminated) as soon as the new program can be displayed by the subsystem. In another embodiment, the display of the newly tuned to program is delayed until the local signal is terminated.

In the various embodiments of Hamilton, the signals are

- a) local signals, stored on a hard drive or other storage (e.g., FLASH) of the set-top box (STB);
- b) generated remotely from the STB, such as in the form of streaming media from the Internet;
- c) carried in the transport stream, and are decoded and buffered, ready for immediate display at the delay event; or
- d) carried in the vertical blanking interval (VBI) of conventional analog broadcast television, and the receiver processor decodes and displays one or more of these signals during the delay.

In one embodiment of Hamilton, the inserted signal includes one or more advertisements.

However, both AAPA and Hamilton fail to disclose or suggest Applicant's claimed steps of

performing the following sequence of steps on the client device while the individual data sections are being downloaded and extracted;

extracting advertising-image related data from the DST, the advertising-image related data including an advertisement image path;

downloading an advertisement image from the advertisement image path; and

displaying the downloaded advertisement image;

cancelling the step of displaying the advertisement image after all data sections of the specific application are downloaded and extracted by the client device; and

executing the specific application on the client device.

That is, there is no advertising image path in the DST of Hamilton. The images (perhaps advertisements) of Hamilton may be stored locally, or may be streamed, or other wise provided. But, however they are provided, there is nothing to suggest that the images are provided via an embedded image path of any sort, let alone an image path embedded in a DST. Furthermore, Hamilton does not disclose or suggest cancelling an act of displaying the advertisement after the all data sections of the specific application are downloaded, extracted and ready for execution. Similarly, there is no advertising image path in AAPA, and there is no step of cancelling an act of displaying the advertisement after the all data sections of the specific application are downloaded, extracted and ready for execution.

As none of the cited art, individually or in combination, discloses or suggests at least the above-noted features of independent claims 17, 23 and 29, Applicant submits the inventions

defined by claims 17, 23 and 29, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.<sup>2</sup>

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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<sup>2</sup> MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest all the claim limitations.